

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re

TIMOTHY DOUGLAS HAYES,
Debtor.

Case No. 16-bk-11983-REF

Chapter Number: 7

315 BOWERY HOLDINGS, LLC and
CBGB FESTIVAL, LLC

Plaintiffs,

v.

TIMOTHY HAYES,
Defendant.

Adversary No. 16-186

STATUS REPORT

Pursuant to the Court's December 23, 2016 Order in this Adversary Proceeding (Adv. Dkt. No. 33), by which the Court stayed the Nondischargeability Action pending a final determination and judgment in the New York state court action *SW Productions, Inc. v. CBGB Festival, LLC*, No. 652990/2014 (Sup. Ct. N.Y. County 2014) (the "New York Action"), and the Court's January 12, 2018 Order directing Plaintiffs to file Status Reports beginning on January 19, 2018 and then every three months thereafter (Adv. Dkt. No. 44), Plaintiffs 315 Bowery Holdings, LLC and CBGB Festival, LLC (together, "CBGB"), through their undersigned counsel, hereby submit this Status Report outlining the status of the New York Action since the last status report (Adv. Dkt. No. 38).

1. On March 14, 2018, the parties appeared for a status conference. At this time, the New York court entered an Order setting an outside deposition date for CBGB's principal— the only remaining deposition in the action (other than Debtor-Defendant Timothy Hayes) — of May 4, 2018. (New York Action, Dkt. No. 362). The court also set a deadline for one of the remaining third-party defendants to file a motion to dismiss. (*Id.*). That motion was filed on

April 4, 2018, and will be fully briefed by April 19, 2018. (*Id.*, Dkt. No.367). The court set an end date for all discovery of July 20, 2018, and the next status conference will be held on June 6, 2018. (*Id.*, Dkt. No. 362).

2. The parties also continue to work to resolve a date for Hayes' deposition pursuant to this Court's grant of CBGB's request to lift the bankruptcy stay for the limited purpose of conducting his deposition in both the New York and Nondischargeability Actions (Adv. Dkt. No. 42).

Respectfully Submitted: April 16, 2018

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